

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEFFREY A. PESTKA,)	
)	
Petitioner,)	4:04cv3317
)	
vs.)	MEMORANDUM AND ORDER
)	
FRED BRITTEN,)	
)	
Respondent.)	

This matter is before the court on filing no. 22, the respondent's second Motion for Extension of Time. The Motion is granted. Therefore, the deadline for the respondent's initial brief will be extended until July 31, 2006. Thereafter, each party shall have until September 8, 2006 to file a second brief, if either party wishes to do so. On the other hand, a decision against filing a second brief will *not* be construed as an abandonment of claims or defenses. Filing no. 22 is granted.

SO ORDERED.

DATED this 18th day of July, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge